

## IN THE CLAIMS

In Claim 6, line 8, delete "first".

In Claim 6, line 11, delete "first".

## REMARKS

Claims 1-14 are pending in the application. In the Office Action of August 17, 1999, the Examiner rejects claims 1-14. In the present response, Applicants amend claim 6.

### Objections to the Drawings:

The Examiner objects to Figures 1 and 2 for not containing the legend --PRIOR ART--. In a separate Request for Approval of Amendments to Drawings filed herewith, Applicants amend Figures 1 and 2 to add this legend.

### Objections to the Specification:

The Examiner objects to the specification as failing to provide antecedent basis for the claimed subject matter. Specifically, the Examiner states that the terms "mobile station call origination" and "mobile station call termination" of claim 2 have no antecedent basis in the specification. Applicants respectfully assert that these terms are well understood by a person of ordinary skill in the art. As explained in the specification at Page 11, lines 12-14:

"A call initiated by a mobile subscriber is referred to as a mobile station originated call, while a call made to a mobile subscriber is referred to as a mobile station terminated call."

Clearly, this sentence provides the antecedent basis that the Examiner states is lacking. Applicants thus respectfully request withdrawal of the objection to the specification.

### Claim Rejections under 35 U.S.C. 112:

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Specifically, the Examiner states with

respect to claims 1, 6, and 14, that it is not clear what is meant by a "glare condition". Applicants respectfully assert that this term is well understood by one of ordinary skill in the art and has a well-defined meaning. Additionally, this term is explained several times in the specification. For example, at Page 4, lines 3-5; Page 11, lines 9-14; and at various other locations in the specification. A "glare condition" is explained in the specification clearly as occurring:

"...when a mobile subscriber attempts to initiate a call while another party is attempting to call the mobile subscriber." (Page 11, lines 11-12).

Thus, Applicants respectfully request withdrawal of the rejection of claims 1, 6, and 14 under 35 U.S.C. 112, second paragraph.

Additionally, the Examiner states with respect to claims 2, 3, 8, 9, and 12, that "the reference to the claimed message is not clear from the specification." The Examiner requests that the limitations of claims 2 and 3 be referenced to the specification. Applicants noted above that a mobile station call origination and a mobile station call termination are well understood by one of ordinary skill in the art. These originations and terminations involve messaging. Examples of messages that indicate mobile station call origination and mobile station call termination that are given in the specification are the Service Request Message and the Paging Response Message, respectively. These are described in the specification at least at Page 12, lines 16-30, and Figure 10 and the accompanying explanation of Pages 12 and 13. Thus, Applicants respectfully request withdrawal of the rejection of claims 2, 3, 8, 9, and 12 under 35 U.S.C. 112, second paragraph.

Lastly, the Examiner states that in claim 6, "said first base station" lacks antecedent basis. Applicants amend claim 6 to delete the word "first". Applicants thus respectfully request withdrawal of the rejection of claim 6 under 35 U.S.C. 112, second paragraph.

#### Claim Rejections under 35 U.S.C. 102:

Claims 1-3, 6, 8, 9 and 11-13 stand rejected under 35 U.S.C. 102(e) as being anticipated by Spartz et al. The Examiner states that "As shown in Fig. 6, the MSC transmits a paging signal 300 (a message signal) to the BSS when detecting a subscriber unit is being paged after another call ends (a glare condition)." The Examiner has apparently misunderstood both the reference, and the common term of the art "glare condition." Spartz et al does not address the glare condition situation. Figure 6 of

Spartz et al shows a message sequence diagram illustrating the signaling messages transmitted during a subscriber unit terminated call initiation. It does not address a glare condition. As explained above a glare condition exists when a subscriber unit is being paged while the mobile station is attempting a call initiation, not just after another call ends. Thus, Applicants respectfully request withdrawal of the rejection of claims 1-3, 6, 8, 9 and 11-13 under 35 U.S.C. 102(e).

**Claim Rejections under 35 U.S.C. 103:**

Claims 4, 5, 7, 10 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Spartz et al in view of Baldwin et al. Applicants forward the same arguments as made above with respect to Spartz et al. Thus, Applicants respectfully request withdrawal of the rejection of claims 4, 5, 7, 10 and 14 under 35 U.S.C. 103(a).

Applicants believe that the above amendments do not add new matter to the application. Applicants therefore respectfully request reconsideration and allowance of all claims as presented.

Respectfully submitted,

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